

ring with a scale. The lower ring is fastened to the drink container. The upper ring can be rotated in the lower ring. Behind the rings dirt deposits can build up which are hard to remove.

Please amend paragraph [0003] as follows:

[0003] German Patent Document No. 70311 purports to describe a counting device for beer jars which can count the number of jars served to a customer. The counting device consists of a counting bar with scale, alongside of which a sliding indicator is slidable and adjustable to the respective number. The counting device is screwed onto a metal band which surrounds the jar and which is attached to the beer jar by means of a detachable tensioning device. The counting device consists of numerous individual parts, therefore is very demanding and difficult to clean.

Page 1, please insert new paragraphs [0004.1] - [0004.2] as follows:

--[0004.1] U.S. Patent No. 5,896,990 purports to describe a tumbler with a counting device to count the number of emptied tumblers. The tumbler is provided with calibration marks on the outside and is equipped with a base at its lower end which has grooves alongside its circumference. In one of the grooves there are several recesses aligned with the graduation marks of a scale. A ring with protrusions on its inner side can be attached to the base so that the grooves and the protrusions interlock and the ring can be rotated around the base. One of the protrusions is formed in a way that it clicks in the recesses. By rotating the ring it is possible to adjust a marker positioned at the outside of the ring on the graduation marks of the scale. The production of this tumbler is very costly because of the complicated base structure.

[0004.2] U.S. Patent No. 5,845,777 purports to describe a plastic tumbler with a counting device for the number of emptied tumblers. On its lower side the tumbler is provided with a base that has two annular projections lengthwise its circumference and is equipped with numbers in regular distance. To the base a ring can be attached which is equipped with an annular projection at its inner surface that is led between the annular projections of the base so that the ring can be rotated around the base. By rotating the ring the number of the consumed glasses can be adjusted by positioning a window formed in the ring on top of the corresponding number.--.

Page 1, before paragraph [0005] please insert the heading --SUMMARY OF THE INVENTION--.

Please amend paragraph [0005] as follows:

[0005] It is a purpose of the present invention to provide a drink container with a device for indicating the quantity of drink which not only enables indication of the number of emptied full glasses, but also adjustment and indication of total fluid quantities of practically any denomination.

Please delete paragraphs [0006] - [0007].

Please insert new paragraphs [0007.1] - [0007.4] as follows:

--[0007.1] According to invention, this purpose is fulfilled by a drink container which is provided with a filling scale and a device for indicating the total quantity of drink, where the device for indicating the total quantity of drink has at least one scale for the quantity of drink and a marker adjustable relatively to the scale so as to add up amounts of drink indicated on the filling scale. The filling scale preferably has the same graduations as the scale for the quantity of drink.

[0007.2] In one embodiment of the invention, the device for indicating the quantity of drink is equipped with an element that can be rotated around the drink container and can be detached from the drink container. The drink container is preferably provided with the marker and the rotary element with the scale. Each drink container can therefore be provided with several, exchangeable rotary elements with several scales or scales with different measurements. It can, however, also the drink container be provided with the scale and the rotary element with the marker.

[0007.3] By rotating the rotary element, it is possible to adjust the marker to the respective quantity of drink indicated on the filling scale, and by rotating the rotary element further after each drinking it is for example possible to add up the daily total fluid intake.

[0007.4] After detaching the rotary element, the drink container can be cleaned as usual, in particular also the parts of the container which are normally covered by the rotary element.--

Before paragraph [0009], please insert the heading --BRIEF DESCRIPTION OF THE DRAWINGS--.

Please amend paragraph [0009] as follows:

[0009] Further details and advantages of the present invention will be explained based on exemplary embodiments which will be explained with reference to the drawings, in which:

- Fig. 1 shows a first drink container with a rotary ring;
- Fig. 2 shows a second drink container with rotary ring;
- Fig. 3 shows a third drink container with a handle;
- Fig. 4 shows a fourth drink container with a handle;
- Fig. 5 shows a fifth drink container with a cap; and
- Fig. 6 shows a sixth drink container with a glass holder.

In the drawings, similar parts are indicated by the same reference numbers.

Before paragraph [0010] please insert the heading --DETAILED DESCRIPTION--.

Please amend paragraph [0010] as follows:

[0010] The drink container 10 according to invention demonstrated in Fig. 1 consists of a drinking glass that is equipped with a rotation symmetrical base 2 at its lower end. On its circumferential surface the base 2 has a groove 3. An also rotation symmetrical rotary ring 4 has an annular projection 5 on its inner surface. The outer diameter of base 2 and the inner diameter of rotary ring 4 are fitted in such a way that the rotary ring 4 is rotating on base 2, whereat the annular projection 5 of the rotary ring 4 snaps in groove 3 of base 2 and therefore leads the rotary ring 4. The rotary ring 4 can be attached to base 2 from below. The rotary ring 4 preferably consists of plastic or another sufficiently resilient material, so that it can slightly stretch when being attached and the annular projection 5 of the rotary ring 4 can snap in the groove 3 of the base 2.

Please amend paragraph [0015] as follows:

[0015] The Figures 3 and 4 each show a drink container 10 according to invention which consists of a tumbler with a removable handle 9. In its upper half, the tumbler is equipped with a groove 3 which goes around the tumbler. The tumbler shown in Figure 3 has a groove 3 with a rectangular cross section, the groove of the tumbler in Figure 4 has a semicircular cross section. At its upper end, the handle 9 changes into a fork which is fitted to click in the groove 3 of the tumbler and rotates in it. The handle 9 is preferably made of plastic or another sufficiently

resilient material so that the fork can sufficiently flex when being attached or detached and can click in the groove 3 of the tumbler. The handle 9 is equipped with a marker 7 either near the forking or at the handle's lower end. Approximately where the marker 7 marks the quantity, the tumbler shows a scale for indicating the quantity of drink 6 for the (total) fluid intake. In addition, the tumbler is provided with a filling scale 8.

Please amend paragraph [0017] as follows:

[0017] The drink container 10 according to invention which is shown in Figure 5 consists of a cup which is equipped with a rotation symmetrical base 2 at its lower end with an outwardly protruding annular projection 5. An also rotation symmetrical cap 1 has a raised rim with a groove 3 at its inner surface. The outside diameter of the base 2 and of the annular projection 5 are in such a way fitted to the inner diameter of the raised rim, respectively the groove 3 that the cap 1 can be rotated on the base 2, whereat the annular projection 5 of the base 2 clicks in the groove 3 of the cap 1 and by this leads the cap 1. The cap 1 can be attached to base 2 from below. Cap 1 preferably consists of plastic or another sufficiently resilient material so that it can slightly stretch when being attached or detached and the rim of cap 1 can click on the annular projection 5 of the base 2.

Please delete paragraph [0022].

Page 7, first line change "Patent claims" to --WHAT IS CLAIMED IS--.

IN THE CLAIMS:

Please cancel claims 1-11 as presented in the underlying International Application No. PCT/DE00/03554 and cancel the substitute claims 1-12 presented under PCT Article 19 and the substitute claims 1-11 presented under PCT Article 34, and add new claims 13-26 as follows:

--13. (new) A drink container comprising:

a vessel capable of holding a fluid, the vessel having a filling scale disposed thereon, the filling scale having graduations for indicating varying amounts of the fluid; and

a device for indicating a total quantity of the fluid, the device including a scale for a quantity of the fluid, a marker, and a rotary element which is rotatable relative to the vessel so as to adjust the scale and the marker relative to each other and enable an adding up of amounts of fluid indicated on the filling scale.

14. (new) The drink container as recited in claim 13 wherein the adding up is performable by adjusting the scale and the marker relative to each other by a first adjustment corresponding to a first amount of fluid indicated on the filling scale and then further adjusting the scale and the marker relative to each other by a second adjustment corresponding to a second amount of fluid indicated on the filling scale so that the scale and marker together indicate a sum of the first and second amounts of fluid.

15. (new) The drink container as recited in claim 13 wherein the marker is disposed on the vessel and the scale is disposed on the rotary element.

16. (new) The drink container as recited in claim 13 wherein the marker is disposed on the rotary element and the scale is disposed on the vessel.

17. (new) The drink container as recited in claim 13 wherein rotary element includes a handle member received in a groove defined by the drink container.

18. (new) The drink container as recited in claim 13 wherein the rotary element includes a rotary ring.

19. (new) The drink container as recited in claim 18 wherein the rotary ring includes an annular projection guided in a groove defined by the drink container.

20. (new) The drink container as recited in claim 18 wherein the rotary ring defines a groove guided on an annular projection of the drink container.

21. (new) The drink container as recited in claim 13 wherein the rotary element includes a cap.

22. (new) The drink container as recited in claim 21 wherein the cap includes an annular projection guided in a groove defined by the drink container.

23. (new) The drink container as recited in claim 21 wherein the cap defines a groove guided on an annular projection of the drink container.
24. (new) The drink container as recited in claim 21 wherein the cap includes a handle.
25. (new) The drink container as recited in claim 13 wherein at least one of the vessel and the rotary element includes ridges or teeth.
26. (new) The drink container as recited in claim 13 wherein the rotary element is detachable from the drink container.--.

IN THE ABSTRACT:

Please replace the abstract of record with the new abstract submitted herewith as a separate sheet.

REMARKS

It is respectfully submitted that no new matter has been added.

Applicants believe that no fees are due as a result of this amendment. In the event of a fee discrepancy, please charge our Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

William C. Gehris

Reg. No. 38,156

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue - 14th Floor
New York, New York 10018
(212) 736-1940